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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,340	02/12/2002	Michael Wengrovitz	47397/JEC/X2/134087	5701

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EXAMINER
ABELSON, RONALD B

ART UNIT	PAPER NUMBER
2666	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/074,340	WENGROVITZ, MICHAEL
	Examiner	Art Unit
	Ronald Abelson	2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 February 2002*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2,4*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-28 are rejected under 35 U.S.C. 102(e) as being

anticipated by Donovan (US 6,434,143).

Regarding claim 1, Donovan teaches a telephony

communications network (fig. 1).

Donovan teaches a telephony unit generating a telephony

signal code (fig. 1 box 13a).

Donovan teaches a translator (fig. 1 box 21a) coupled to

the telephony unit, the translator encapsulating the telephony

signaling code in an application layer control protocol message

(signaling gateway, SIP, col. 2 line 67 - col. 3 line 4). The

examiner maintains that SIP is an application layer control

protocol. In this office action the examiner corresponds the

encapsulation/decapsulation of the application with the bi-

directional transportation between PSTN telephony signaling and IP signaling messages, such as SIP of the reference.

Donovan teaches a communications interface (see connection between fig. 1 box 21a and box 17) coupled to the translator for transmitting the message over a communications network (fig. 1 box 17).

Regarding claim 12, Donovan teaches a telephony communications network (fig. 1) supporting a session initiation protocol 'SIP' session (col. 3 lines 2-4).

Donovan teaches a SIP client transmitting and receiving SIP messages during the SIP session (fig. 1 box 23, col. 3 lines 19-24).

Donovan teaches a translator (fig. 1 box 21a) coupled to the SIP client, the translator configured to encapsulate and decapsulate private telephony signaling codes in and from the SIP messages (signaling gateway, SIP, col. 2 line 67 - col. 3 line 4, col. 3 lines 19-24) for allowing the SIP client (fig. 1 box 23) access to PBX (fig. 1 box 19a) functionality associated with private telephony signaling codes (signaling gateway, SIP, col. 2 line 67 - col. 3 line 4, col. 3 lines 19-24).

Regarding claim 14, Donovan teaches a telephony

communications network (fig. 1) supporting a SIP session (col. 3

lines 2-4).

Donovan teaches a telephone appliance (fig. 1 box 13a)

transmitting outgoing private telephony signaling codes for

accessing associated PBX functionality (fig. 1 box 19a).

Donovan teaches a translator (fig. 1 box 21a) coupled to

the telephone appliance, the translator configured to

encapsulate the outgoing private signaling codes in outgoing SIP

messages (signaling gateway, SIP, col. 2 line 67 - col. 3 line

4, col. 3 lines 19-24) transmitted to the PBX (fig. 1 box 19a)

via a SIP server (fig. 1 box 23, 31, col. 3 lines 19-27)

providing a SIP service for the telephone appliance (col. 3

lines 2-4).

Regarding claim 16, Donovan teaches a telephony

communications network (fig. 1) comprising a telephony unit

(fig. 1 box 13a) and a translator (fig. 1 box 21a) coupled to

the telephony unit.

Donovan teaches a signaling interface (fig. 1 see

connection between box 19a and 21a) receiving a telephony

signaling code.

Donovan teaches a processor coupled to the signaling

interface, the processor configured to encapsulate the telephony

signaling code in a session layer control protocol message

(signaling gateway, SIP, col. 2 line 67 - col. 3 line 4). The

examiner maintains that SIP is an application layer control

protocol.

Donovan teaches a network interface coupled to the

processor for transmitting the message over a communications

network (fig. 1 see connection box 21a to box 17).

Regarding claim 22, Donovan teaches generating a telephony

signaling code (fig. 1 box 19a).

Donovan teaches encapsulating the telephony signaling code

in a session layer control protocol message (signaling gateway,

SIP, col. 2 line 67 - col. 3 line 4).

Donovan teaches transmitting the message over a

communications network (fig. 1 box 17, col. 3 lines 8-10).

Regarding claims 2 and 23, Donovan teaches one or more

second telephony units (fig. 1 box 13b).

Donovan teaches one or more second translators (fig. 1 box

21b) coupled to the one or more second telephony units,

characterized in that the one or more second translators receive

the message transmitted over the communications network (fig. 1

box 17) and decapsulate the telephony signaling code in the

message (bi-directional transportation between PSTN telephony

signaling and IP signaling messages, such as SIP, col. 2 lines

2-4), further characterized in that one or more second

translators forward the telephony signaling code to the one or

more second telephony units (fig. 1 see connection box 21b to

13b) for performing a function in response to the telephony

signaling code (IP call setup signaling messages, call is setup,

col. 3 lines 19-24).

Regarding claim 3, a server (fig. 1 box 23) for routing the

message to one or more second translators (fig. 1 box 21b, call

forwarding, col. 3 lines 10 – 14).

Regarding claim 4, the server provides a third party

service for the telephony unit (fig. 1 box 31, redirect server,

col. 3 lines 26-30). Note, the applicant states a redirect

server provides third party services (applicant: pg. 8 lines 29-

31).

Regarding claims 5 and 24, the translator (fig. 1 box 21a)

determines the one or more second translators (fig. 1 box 21b)

viable for receiving the message and transmitting the message to the viable translators (IP call setup messages are transported between the IP telephony gateways, col. 3 lines 19-23).

Regarding claim 6, the one or more second translators (fig. 1 box 21b) subscribe with the translator (fig. 1 box 21a) for receiving the message (IP call setup messages are transported between the IP telephony gateways, col. 3 lines 19-23).

Regarding claims 7 and 25, the one or more second translators receive the message in an out-of-call / IP call setup data transfer (col. 3 lines 19-24).

Regarding claim 8 and 20, the telephony unit is a digital telephone (fig. 1 box 15a, IP phones, col. 3 lines 4-7).

Regarding claims 9 and 21, the telephony unit is a PBX unit (fig. 1 box 19a).

Regarding claims 10, 18, and 27, the session layer control protocol is SIP (col. 3 lines 2-4, 19-23).

Regarding claims 11 and 19, the telephony unit is a SIP
user agent (bi-directional transportation between PSTN telephony
signaling and IP signaling messages, such as SIP, col. 2 lines
2-4). The examiner corresponds the applicant's SIP user agent
with the PBX of the reference since the PBX is facilitating bi-
directional transportation between PSTN telephony signaling and
IP signaling messages.

Regarding claim 13, the translator (fig. 1 box 21 is an
application programming interface (signaling gateway between
PSTN and SIP, col. 2 line 67 - col. 3 line 4).

Regarding claim 15, the SIP service is a call redirection
service (fig. 1 box 31, redirect server, col. 3 lines 26-30).

Regarding claim 17, the processor (fig. 1 box 21b) is
further configured to decapsulate a second telephony signaling
code in a second session layer control message received by the
network interface (col. 3 lines 19-24) for forwarding to the
telephony unit (fig. 1 box 13b) over the signaling interface
(fig. 1 see connection box 21b to 13b).

Regarding claim 26, transmitting a subscription message for receiving the message (INVITE request, col. 3 lines 64-67).

Regarding claim 28, routing the message over a SIP server (fig. 1 box 23, col. 3 lines 10-13).

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be
obtained from the Patent Application Information Retrieval
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access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Abelson
Examiner
Art Unit 2666

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8/28/04

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